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OFFICE OF THE ATTORNEY GENERAL

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Attorney General

MEMO ENDORSED

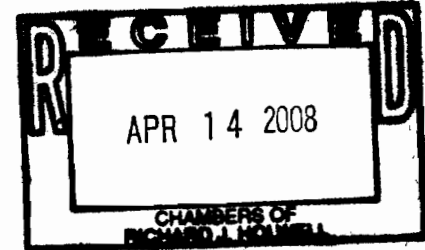
USDC SDNY DOCUMENT ELECTRONICAL	FILED
DOC #:	
DATE FILED:	4/23/08

Executive Deputy Attorney General
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JUNE DUFFY
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April 14, 2008

By Fax

The Honorable Richard J. Holwell
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007-1312
Fax #: 212-805-7948



Re: Brown v. Flynn, 07-Civ-9789 (RJH) (pro se)

Dear Judge Holwell,

On behalf of defendants, employees of the Division of Parole, this Office respectfully requests an extension from April 18, 2008, to May 20, 2008, of the time to serve an answer or motion to dismiss in the above captioned matter. The Court has granted two prior extension requests but the instant request is based on recent developments. Plaintiff's consent has not been sought because of his current incarceration status.

This case involves conditions placed on plaintiff parolee restricting his driving privileges. The previous extension was requested because this Office had offered to arrange a meeting to allow plaintiff and his parole supervisors to discuss and clarify the conditions under which he may drive. Although initially agreeing to the meeting, plaintiff ultimately refused it. At 5:00 pm this past Friday, April 11, 2008, this Office learned that plaintiff had been arrested on March 27, 2008, for parole violations. One of the violations apparently involves plaintiff driving without authorization. The time requested is to allow this Office and the Division of Parole to investigate the situation and to assess its impact on the instant case. In addition, one of the defendants, Parole Officer Rita Flynn, has a Title VII employment discrimination action, Flynn v. N.Y.S. Division of Parole, 07-Civ-5821 (WCC)(MDF), which has raised a question as to whether this Office can represent her in the instant litigation and necessitates a conflict of interest analysis.

Respectfully Submitted,

Steven N. Schulman
Steven N. Schulman (SS-3894)
Assistant Attorney General
(212) 416-8654

cc: By Post
Sherman Brown (Pro se)
2008-01530
Orange County Jail
100 Wells Farm Road
Goshen, New York 10824

*A response to the
Complaint shall be filed by
May 20, 2008. So ordered.
4/23/08 [Signature] USDC*

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